

**Little Traverse Bay Bands of Odawa Indians
Tribal Council Chambers
7500 Odawa Circle, Harbor Springs, MI 49740**

**Tribal Council Regular Meeting
April 20, 2017**

Call to Order: 9:02 a.m.
Opening ceremony: Beatrice Law
Closed Session: yes

Council Present: Legislative Leader Aaron Otto, Secretary Julie Shananaquet, Treasurer Marcella Reyes, Councilor Frank Bernard, Councilor Beatrice Law, Councilor Dexter McNamara, Councilor Emily Proctor

Absent: Councilor David Harrington, Councilor Michael Naganashe

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, General Counsel James Bransky, Legislative Office Manager Michele Portman-LaCount

Executive Officials and Staff Present: Chairperson Regina Gasco Bentley, Chief Financial Officer Carrie Carlson, Direct Services Administrator Phil Harmon, Grant Writer II Alison Simon, Tribal Planner Anne Doyle.

Judicial Officials and Staff: none

Public: none
Invited: none

Agenda:

Motion made by Secretary Shananaquet and supported by Councilor Law to approve the agenda of April 20, 2017 as amended.

Vote: 7- Yes, 0 - No, 0 - Abstained, 2- Absent (Councilor Harrington, Councilor Naganashe)

Motion carried.

Dedication:

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to dedicate this meeting in honor of the following Citizen who have walked on:

Henry Shenonaquet. Edward Lee Wilson, Mary Margaret Shananaquet, Yvonne Patsy Salter, Mary Elizabeth Beaver-Zalewski, Truman Ray Yoder Jr., Anna Mae Stead.

Vote: 7- Yes, 0 - No, 0 - Abstained, 2- Absent (Councilor Harrington, Councilor Naganashe)

Motion carried.

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to approve the Regular Meeting Minutes of April 6, 2017 as corrected.

Vote: 7- Yes, 0 - No, 0 - Abstained, 2- Absent (Councilor Harrington, Councilor Naganashe)

Motion carried.

Introduction of new Government Employee: Anne Doyle, Tribal Planner

Executive Report:

Discussion: Acting Attorney General would like to meet with Council (May 23rd). Vice Chairperson read comments from Chairperson regarding Ethics Statute, Native Finance Officers Association Conference next week to discuss SWAP rates, Financial Reports are being reviewed, Michigan Casino Marker Report, Gaming Enterprise Board reporting incomplete, Update on U.S Government Budget Resolution.

Direct Services Administrator Phil Harmon updated on the proposed Community Wellness Center. New vendor will be overseeing Elder Lunch program, Behavioral Health Construction to near completeness, Pharmacy Construction out for bid, Various Tribal programs to take place this weekend.

Motion made by Councilor Law and supported by Councilor Proctor to acknowledge the verbal and written 2017 Executive Oversight Report and Executive updates as presented by Vice-Chairperson Stella Kay and Direct Services Administrator Phil Harmon, with input from Chief Finance Officer Carrie Carlson, and Tribal Planner Anne Doyle.

Vote: 7- Yes, 0 - No, 0 - Abstained, 2- Absent (Councilor Harrington, Councilor Naganashe)

Motion carried.

10:19 a.m. Break

10:38 a.m. Resume meeting

Tribal Council Officer Reports:

Legislative Leader Report

Discussion: Worked on Tribal Historic Preservation Office position, offer made and accepted. Addressed other matters regarding legislative matters. Rework policy on phone polls (electronic polls), drafting Resolution to recommend changing/rewording name of National Congress of American Indians (American Indian vs. American Indigenous), Legislative Branch Employee Handbook revamp, developing process for hiring boards and charters, need to review laws, planning session needed for new Councilors, creating list of land purchases and businesses, increase funding for housing, develop work group for reservation restoration, Land Management Work group, Tribal council working with local boards, land purchase policy.

Motion made by Councilor Law and supported by Councilor Proctor to accept Legislative Leader Otto's verbal report as presented on April 20, 2017.
Vote: 7- Yes, 0 - No, 0 - Abstained, 2- Absent (Councilor Harrington, Councilor Naganashe)
Motion carried.

Secretary Report

The following documents were delivered to the Executive:

- Amendment to Waganakising Odawak Statute 2015-019 Administrative Procedures Statute delivered to the Executive on 04-12-17. Response pending.

Veto:

- Waganakising Odawak Statute Housing Department vetoed on 03-06-17.
- Waganakising Odawak Statute Ethics for Governmental Officials vetoed on 04-13-17.

Phone Polls:

The following polls were conducted:

04-14-17 Motion to approve the Legislative Leader Otto to make an offer to candidate #3 for the position of Deputy Tribal Historic Preservation Office in the amount as set forth in Confidential Memo 041317-01.

Vote: 6-yes; 1-no (Councilor Naganashe); 0-abstained; 2-absent (Councilor Bernard, Councilor Proctor) The Phone Poll passed.

Discussion Items:

- Legislative Services Attorney held phone conference on Tuesday, April 11, 2017 with Kim Dunn, minor changes made, will repost until next Tribal Council meeting.
- Attended Public Hearing regarding proposed Wellness Center

Correspondence: Thank you Citizen Warren Petoskey for stories-via e-mail.
Thank you Citizen Biber for correspondence re: Deputy Tribal Historic Preservation Officer position.

Motion made by Treasurer Reyes and supported by Councilor Law to accept Secretary Shananaquet's verbal report as presented on April 20, 2017.
Vote: 7- Yes, 0 - No, 0 - Abstained, 2- Absent (Councilor Harrington, Councilor Naganashe)
Motion carried.

Treasurer Report

Appropriations and Finance Committee

- Last Regular Meeting: April 11, 2017
- Public 2018 Budget Hearing: April 13, 2017
- Next Regular meeting: May 9, 2017 at 1:00 p.m.

Motion made by Councilor Law and supported by Councilor Proctor to accept the Appropriation and Finance Committee report as presented on April 20, 2017 by Committee Chairperson Reyes.

Vote: 7- Yes, 0 - No, 0 - Abstained, 2- Absent (Councilor Harrington, Councilor Naganashe)

Motion carried.

Tribal Council Travel Reports – none

Tribal Council Member Reports/Updates

Councilor Emily Proctor – Attended Rule and Elected Official training held locally, discussed transportation and road construction. Attended Community Wellness public hearing.

Motion made by Councilor Law and supported by Treasurer Reyes to accept the Tribal Council Member report as presented by Councilor Proctor on April 20, 2017.

Vote: 7- Yes, 0 - No, 0 - Abstained, 2- Absent (Councilor Harrington, Councilor Naganashe)

Motion carried.

Tribal Council Committees:

Land and Reservation Committee

Discussion: FYI presented by Treasurer Reyes

- Last meeting: April 13, 2017-Cancelled
- Next meeting: May 5, 2017 at 9:00 a.m. in the Council Chambers

Ethics Committee

- Next meeting: TBD

Legislative Office Reports:

Legislative Services Attorney Report

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to accept the April 20, 2017 Legislative Services Attorney Budnick's verbal and written report.

Vote: 7- Yes, 0 - No, 0 - Abstained, 2- Absent (Councilor Harrington, Councilor Naganashe)

Motion carried.

Enjinaaknegeng

Motion made by Secretary Shananaquet and supported by Treasurer Reyes to accept the Enjinaaknegeng written report sent via e-mail by General Counsel Bransky on Thursday April 20, 2017.

Vote: 7- Yes, 0 - No, 0 - Abstained, 2– Absent (Councilor Harrington, Councilor Naganashe)

Motion carried.

Legislative Office Manager Report

Discussion: Travois training – will work with Councilor Proctor and Treasurer Reyes setting up training with invitation to include other Tribes, Ziibimijwang member background underway, sent reminder to charters and boards regarding Quarterly Report requirements, Employee Web Service problems (resolved), Commission, Board, Committee (CBC) nomination/appointment process, Community Meeting Report, Web portal concerns addressed regarding Annual meetings (2005-present), frame(s) for Tribal property map.

Motion made by Secretary Shananaquet and supported by Councilor Proctor to accept the April 20, 2017 Legislative Office Manager's verbal report as presented by Legislative Office Manager, Michele Portman-LaCount.

Vote: 7- Yes, 0 - No, 0 - Abstained, 2– Absent (Councilor Harrington, Councilor Naganashe)

Motion carried.

Public Comment:

11:49 a.m. Public comment opens.

11:50 a.m. Public comment closes.

Office of Finance and Revenue Report - Position currently vacant.

Discussion: 19 applications received.

11:55 a.m. Lunch Break

11:55p.m. Councilor McNamara exits meeting

1:33 p.m. Meeting Resumes

1:30 p.m. Councilor Naganashe arrives

Corporate Charters and/or Board Updates:

Odawa Economic Development Management, Inc. – No Report.

1:33 p.m. Traditional Tribal Burial Board, Inc. Presented by Kevin Willis

Motion made by Councilor Law and supported by Treasurer Reyes to accept the 2017 1st Quarter Report of the Traditional Tribal Burial Board, Inc. as presented by Chairperson Kevin Willis.

Vote: 7- Yes, 0 - No, 0 - Abstained, 2– Absent (Councilor Harrington, Councilor McNamara)

Motion carried.

2:01 p.m. Councilor Harrington arrives

Ziibimijwang, Inc. No report

Gaming Enterprise Board – (1) motion request.

Action Items - Motions

Motion made by Councilor Law and supported by Secretary Shananaquet to override Executive Housing Department Statute veto.
Councilor Law withdraws her motion.

Motion made by Councilor Law and supported by Secretary Shananaquet to override Executive Ethics for Governmental Officials Statute.

Vote: 2- Yes, 6 – No (Councilor Harrington, Councilor Proctor, Legislative Leader Otto, Treasurer Reyes, Councilor Bernard, Councilor Michael Naganashe) 0 - Abstained, 1– Absent (Councilor McNamara)
Motion failed.

Motion made by Treasurer Reyes and supported by Councilor Naganashe to appoint Alice Hughes to the Citizenship Commission for a 3-year term ending September 21, 2019.

Vote: 8- Yes, 0 - No, 0 - Abstained, 1– Absent (Councilor McNamara)
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Law to appoint Jennifer Keller to the Citizenship Commission for the remainder of 3-year term ending September 21, 2019.

Vote: 8- Yes, 0 - No, 0 - Abstained, 1– Absent (Councilor McNamara)
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Law to acknowledge receipt of Anthony "Shane" Robertson Letter of Interest and Resume' for Odawa Economic Development Management, Inc. and set up an interview.

Vote: 8- Yes, 0 - No, 0 - Abstained, 1– Absent (Councilor McNamara)
Motion carried.

Motion made by Councilor Naganashe and supported by Councilor Proctor to approve Certified Motion #042017-01; Request for Funding from the Bureau of Indian Affairs FY 2017 Climate Adaptation Funds.

Vote: 8- Yes, 0 - No, 0 - Abstained, 1– Absent (Councilor McNamara)
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Law to approve Certified Motion #042017-02; Request for Funds from the Bureau of Indian Affairs Conservation Law Enforcement Officers Funds.

Vote: 8- Yes, 0 - No, 0 - Abstained, 1– Absent (Councilor McNamara)
Motion carried.

Motion made by Councilor Law and supported by Councilor Harrington to approve Certified Motion #042017-03; Motion to Verify Citizen Participation; U.S. Department of Housing and Urban Development FY 2017 Indian Community Development Block Grant Program Little Traverse Bay Bands of Odawa Indians LTBB Community Wellness Center.

Vote: 8- Yes, 0 - No, 0 - Abstained, 1– Absent (Councilor McNamara)
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Naganashe to approve Certified Motion #042017-04; Request for Funding from National Park Service Tribal Historic Preservation Fund Operations Grant FY 2017.

Vote: 8- Yes, 0 - No, 0 - Abstained, 1– Absent (Councilor McNamara)
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Harrington to approve Certified Motion #042017-05; Request for Funding from the U.S. Department of Housing and Urban Development FY 2017 Indian Community Development Block Grant Program Public Facilities and Improvement Project LTBB Wellness Center.

Vote: 8- Yes, 0 - No, 0 - Abstained, 1– Absent (Councilor McNamara)
Motion carried.

Public Comment

3:01 p.m. Public Comment opens

- Citizen Gokee brought up "strip mall affect" (OEDMI). Would like to see casino back at the site it began on and to eventually use the current casino as offices and clinic space.

3:17 p.m. Public Comment closes

3:17 p.m. Break

3:33 p.m. Resume

Motion made by Treasurer Reyes and supported by Councilor Naganashe to approve Certified Motion #042017-06; Request for Funding from Michigan Department of Health and Human Services Public Health Preparedness and Emergency Response FY 2017 Award Increase, Mod #01.

Vote: 7- Yes, 0 - No, 0 - Abstained, 2– Absent (Councilor McNamara, Councilor Proctor)
Motion carried.

Lengthy Discussion on the LTBB Community Wellness Center.

4:25 p.m. Break

4:34 p.m. Resume

Motion made by Secretary Shananaquet and supported by Councilor Law to table Certified Motion #042017-07; Request for Provision of Supplemental Funding in the amount \$600,000 to Support the Completion of the LTBB Community Wellness Center.

Vote: 8- Yes, 0 - No, 0 - Abstained, 1- Absent (Councilor McNamara)

Motion carried.

Motion made by Secretary Shananaquet and supported by Councilor Proctor to re-post to the Legislative Calendar on the Odawa Register the General Welfare Statue as sponsored by Secretary Shananaquet.

Vote: 8- Yes, 0 - No, 0 - Abstained, 1- Absent (Councilor McNamara)

Motion carried.

Motion made by Councilor Law and supported by Secretary Shananaquet to table appointing of Tribal Councilors to the Ad-hoc Land Management Office Committee.

Vote: 8- Yes, 0 - No, 0 - Abstained, 1- Absent (Councilor McNamara)

Motion carried.

Motion made by Councilor Law and supported by Councilor Proctor to approve the Certificate of Indian Tribal Entity and Limited Waiver of Sovereign immunity for Odawa Casino Resort with Wells Fargo Bank to update the signatories on the Commercial Deposit Accounts and Treasury Management Services.

Vote: 7- Yes, 0 - No, 1 - Abstained (Councilor Harrington), 1- Absent (Councilor McNamara)

Motion carried.

Motion made by Councilor Law and supported by Legislative Leader Otto to acknowledge receipt of the Gaming Enterprise Board's March 2017 Budget and Expenditures Report.

Vote: 7- Yes, 0 - No, 1 - Abstained (Councilor Harrington), 1- Absent (Councilor McNamara)

Motion carried.

Action Items - Roll Call Votes

Motion made by Treasurer Reyes and supported by Secretary Shananaquet to adopt Tribal Resolution: Appropriation of Funds for the 2018 Fiscal Year

Operating Budgets as set for as follows:

Total General Fund Revenue	14,305,000.00
Total Cost Recovery Revenue	10,064,832.54
Total Special Revenue	<u>11,170,460.95</u>
	\$35,540,293.49

Roll Call: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-yes, Councilor McNamara-absent, Councilor Naganashe-yes, Councilor Proctor-yes, Legislative Leader Otto-yes, Secretary Shananaquet-yes, Treasurer Reyes-yes
Motion carried.

Motion made by Councilor Law and supported by Councilor Proctor to appoint Sean Cahill as an Appellate Justice for a 6-year term ending April 17, 2023.
Roll Call: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-yes, Councilor McNamara-absent, Councilor Naganashe-yes, Councilor Proctor-yes, Legislative Leader Otto-yes, Secretary Shananaquet-yes, Treasurer Reyes-yes
Motion carried.

Motion made by Treasurer Reyes and supported by Councilor Law to table Tribal Resolution: Appropriation of FY 2018 Supplemental Funding in the Amount of \$600,000 to Support the Design, Construction and Furnishing of Phase I of the LTBB Community Wellness Center.
Roll Call: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor Proctor-yes, Legislative Leader Otto-yes, Secretary Shananaquet-yes, Treasurer Reyes-yes
Motion carried.

Motion made by Councilor Law and supported by Councilor Harrington to adopt Tribal Resolution: Use of Michelle Chingwa Education Assistance Act Funding for the University of Toronto, Canada.
Roll Call: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-yes, Councilor McNamara-absent, Councilor Naganashe-yes, Councilor Proctor-yes, Legislative Leader Otto-yes, Secretary Shananaquet-yes, Treasurer Reyes-yes
Motion carried.

Other Items of Business - Personnel

5:43 p.m. Motion made by Councilor Harrington and supported by Councilor Law to go into closed session for personnel.
Vote: 7- Yes, 0 - No, 1 – Abstained (Councilor Harrington), 1– Absent (Councilor McNamara)
Motion carried.

6:15 p.m. Motion made by Councilor Harrington and supported by Councilor Law to return to open session.
Vote: 8- Yes, 0 - No, 0 – Abstained, 1– Absent (Councilor McNamara)
Motion carried.

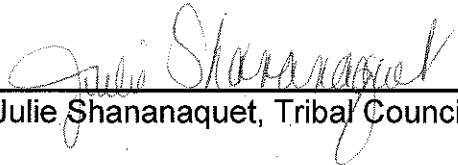
Motion made by Councilor Law and supported by Treasurer Reyes to hold a Special Meeting on 4/28/17 at 10:00 a.m. for personnel.
Vote: 8- Yes, 0 - No, 0 – Abstained, 1– Absent (Councilor McNamara)
Motion carried.

Adjourn

6:21 p.m. Motion made by Treasurer Reyes and supported by Councilor Proctor to adjourn meeting.
Vote: 8- Yes, 0 - No, 0 – Abstained, 1– Absent (Councilor McNamara)

Motion carried.

These Minutes have been read and are approved as corrected.


Julie Shananaquet, Tribal Council Secretary

6-4-17
Date

APPROVED